

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Noa Street-Sachs	Team: Squad #8	CCRB Case #: 201908457	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 09/20/2019 4:00 PM	Location of Incident: Over phone	Precinct:	18 Mo. SOL 3/20/2021	EO SOL 11/4/2021	
Date/Time CV Reported Mon, 09/23/2019 9:31 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 09/23/2019 9:31 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Andrew Greges	21018	949061	050 DET

Officer(s)	Allegation	Investigator Recommendation
A.POM Andrew Greges	Abuse: Police Officer Andrew Greges threatened to arrest § 87(2)(b)	
B.POM Andrew Greges	Abuse: Police Officer Andrew Greges threatened to notify Administration for Children's Services.	

### Case Summary

On September 23, 2019, § 87(2)(b) filed this complaint with the CCRB via the call-processing system.

On September 20, 2019, at approximately 4:00 p.m., § 87(2)(b) returned home to 5570 Netherland Avenue Apt. 1D in the Bronx and saw a business card stuck in her door informing her to call PO Andrew Greges of the 50<sup>th</sup> Precinct Detective Squad. When § 87(2)(b) called PO Greges, he told her that he was going to arrest her and allegedly that he wanted to take her son away from her (**Allegation A: Abuse of Authority, § 87(2)(g)**) (**Allegation B: Abuse of Authority, § 87(2)(g)**). § 87(2)(b) was not arrested or summonsed as a result of this incident.

The agency is not in possession of any relevant video footage.

### Findings and Recommendations

#### **Allegation (A) Abuse of Authority: Police Officer Andrew Greges threatened to arrest § 87(2)(b).**

It is undisputed that on September 20, 2019, PO Greges threatened to arrest § 87(2)(b) over the phone.

In § 87(2)(b)'s verified statement provided on September 24, 2019, she stated that on September 20, 2019, at approximately 4:00 p.m., she returned home and noticed a card stuck in her apartment door. The card said, "50<sup>th</sup> Precinct Detective Squad, PO Greges, § 87(2)(b) please call me." § 87(2)(b) called the number listed on the card and spoke to PO Greges who told her he was going to arrest her and that he wanted to take her son away from her. He did not say why he wanted to take her son away, but he said he would arrest her for violating an order of protection taken out by § 87(2)(b), whom § 87(2)(b) formerly dated. § 87(2)(b) asked if he had evidence for this and PO Greges said "no." § 87(2)(b) was confused because she believed the order of protection was closed and sealed since February (Board Review 01).

§ 87(2)(b) provided a brief phone statement during her intake call on September 23, 2019 which was generally consistent with her verified statement (Board Review 02).

PO Greges testified that on September 20, 2019, at approximately 4:00 p.m., he was at his desk when he received a phone call from § 87(2)(b). PO Greges told § 87(2)(b) that she had violated an order of protection on September 5, 2019, and September 11, 2019. PO Greges was assigned to the case regarding the September 11 incident. PO Greges told § 87(2)(b) that this constituted criminal contempt of court and that he came to her apartment to arrest her. PO Greges told § 87(2)(b) "We can work out a date and time. You can come turn yourself in or you cannot turn yourself in, but I'm not going to stop looking for you because that's my job. At some point, whether you come here, or I come and find you, you are going to be arrested." Besides violating the order of protection, there was nothing else that § 87(2)(b) could have been arrested for that PO Greges knew of. § 87(2)(b) told PO Greges she would call back after conferring with an officer she had been in contact with previously, but she never called back.

Before the phone call, PO Greges had arrived at § 87(2)(b)'s home, § 87(2)(b), with Detective Kareem Anderson, also of the 50<sup>th</sup> Precinct Detective Squad. PO Greges' intention in going to § 87(2)(b) was to arrest § 87(2)(b). After PO Greges knocked on § 87(2)(b)'s door and there was no answer, he left a business card with his phone number. Before arriving at § 87(2)(b)'s home, PO Greges conducted a warrant check for § 87(2)(b) on DAS lite database. The search yielded § 87(2)(b)'s § 87(2)(b) arrest for stalking the victim from the

complaint report, § 87(2)(b). The order of protection stemmed from this arrest. Since this arrest, § 87(2)(b) had been arrested § 87(2)(b).

PO Greges' DD5 on September 17, 2019 detailed that when he interviewed § 87(2)(b) on September 17, 2019 over the phone, § 87(2)(b) stated that on September 11, 2019, § 87(2)(b) was cursing at him and calling him names inside the hallway of their building. § 87(2)(b) stated that § 87(2)(b) had been harassing and stalking him for years and he feared for his own personal safety. This account was consistent with the complaint report which stated that § 87(2)(b) had violated a valid order of protection on September 11, 2019 (Board Review 07).

On September 19, 2019, § 87(2)(b) completed a confirmatory single-photo identification procedure of § 87(2)(b). On this same day, PO Greges issued two ICARDS for § 87(2)(b) which were each for probable cause of criminal contempt of court. PO Greges issued one ICARD for the September 5, 2019 violation that Detective Mateo was investigating and one for the September 11, 2019 violation he was investigating.

During his CCRB interview, PO Greges provided the investigation with the order of protection, both ICARDS, the complaint report, the photo identifying § 87(2)(b) with the victim's signature and statement on it, and PO Greges' DD5s (Board Review 03).

The order of protection that PO Greges provided, which was active until September 26, 2019, was in protection of § 87(2)(b) and was issued against § 87(2)(b) (Board Review 04).

The ICARDS, one pertaining to the September 5, 2019 incident and one pertaining to the September 11, 2019 incident, were both generated by PO Greges on September 19, 2019, and were both for probable cause to arrest § 87(2)(b) (Board Review 05 and Board Review 06).

The UF61 complaint report, complaint #§ 87(2)(b), included the following narrative: "CV states that at TPO above perp with intent to annoy and harass did threaten CV by cursing at him and threatening him for unk reason. Non injury sustained. CV has valid order of protection against perp which was violated. Canvass conducted. Negative results" (Board Review 07).

The photo of § 87(2)(b) included the following statement signed by § 87(2)(b) "I am identifying this person as § 87(2)(b). On Sept. 5<sup>th</sup> and Sept. 11<sup>th</sup>, she violated an order of protection by banging on my door and harassing me outside as well" (Board Review 08).

New York Penal Law 215.51 states that a person is guilty of criminal contempt in the first degree when (b) in violation of a duly served order of protection, or such order of which the defendant has actual knowledge because he or she was present in court when such order was issued, or an order of protection issued by a court of competent jurisdiction in this or another state, territorial or tribal jurisdiction, he or she (vi) by physical menace, intentionally places or attempts to place a person for whose protection such order was issued in reasonable fear of death, imminent serious physical injury or physical injury (Board Review 09).

§ 87(2)(g)

§ 87(2)(g)

**Allegation (B) Abuse of Authority: Police Officer Andrew Greges threatened to notify Administration for Children's Services.**

It is disputed whether PO Greges threatened to notify the Administration for Children's Services. In § 87(2)(b)'s verified statement provided on September 24, 2019 (Board Review 01) and her phone statement provided on September 23, 2019 (Board Review 02), she alleged that during the above-mentioned phone call with PO Greges on September 20, 2019, PO Greges told her he wanted to take her son away.

In PO Greges' interview at the CCRB, he denied threatening to take away § 87(2)(b)'s son. He also denied knowing that § 87(2)(b) had a child.

§ 87(2)(g)

**Civilian and Officer CCRB Histories**

- § 87(2)(b) [REDACTED]
- PO Greges has been a member of service for nine years and has been a subject in nineteen CCRB complaints and forty-two allegations, none of which were substantiated. § 87(2)(g) [REDACTED] (Board Review 11).

**Mediation, Civil, and Criminal Histories**

- § 87(2)(b) declined to mediate this complaint during her verified statement on September 24, 2019 (Board Review 01).
- As of October 15, 2019, the New York City Officer of the Comptroller has no record of a Notice of Claim being filed in regard to this complaint (Board Review 12).
- § 87(2)(b) [REDACTED]

Squad No.: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature Print Title & Name Date

Squad Leader: \_\_\_\_\_  
Signature Print Title & Name Date

Reviewer: \_\_\_\_\_

Signature

Print Title & Name

Date